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3738

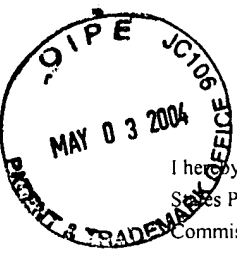
PTO/SB/21 (08-03)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/002,595
		Filing Date	November 1, 2001
		First Named Inventor	SIRHAN, MOTASIM
		Art Unit	3738
		Examiner Name	Phan, Hieu
Total Number of Pages in This Submission		Attorney Docket Number	020460-001600US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Response to Restriction Requirement; Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Nena Bains Reg. No. 47,400
Signature	<i>[Handwritten Signature]</i>
Date	4-28-04

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Gigi Hoover		
Signature	<i>Gigi Hoover</i>	Date	April 28, 2004



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PATENT  
Attorney Docket No.: 020460-001600US

TOWNSEND and TOWNSEND and CREW LLP  
By: Digi Hoover

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
  
SIRHAN, MOTASIM et al.  
  
Application No.: 10/002,595  
  
Filed: November 1, 2001  
  
For: DELIVERY OF THERAPEUTIC  
CAPABLE AGENTS

Examiner: PHAN, HIEU  
  
Technology Center/Art Unit: 3738  
  
Response to Restriction Requirement

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

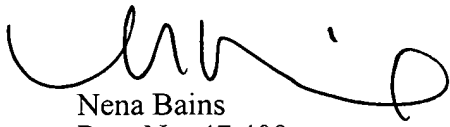
Sir:

In response to the Office Action mailed April 6, 2004, Applicants hereby elect Group I and specie 4 directed at Fig. 2D. Applicants believe that claims 1-3, 74-110, 112, 116-119, 121-133, 150-158, 170-237, 241, 244-253 and 272-273 read on this election.

However, Applicants respectfully submit that claims 1, 74, 150, 241 and 244 are generic claims.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
Nena Bains  
Reg. No. 47,400

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